

Interview Summary

Application No.

10/573,972

Applicant(s)

TAKADA ET AL.

Examiner

BINTA M. ROBINSON

Art Unit

1625

All participants (applicant, applicant's representative, PTO personnel):

(1) BINTA M. ROBINSON. *BMR 1/27/09* (3) _____

(2) Sam Dangremond. *Samuel T. Dangremond* (4) _____

Date of Interview: 27 January 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: 1 and 2.

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Binta M Robinson/
Examiner, Art Unit 1625

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Attorney Dangremond discussed the amendment just filed which deletes the second alternative method in claim 1, and Attorney stated that the amendment overcomes the Sakoda reference because he alleges that the Sakoda reference does not utilize a racemate of the compound of formula I but an enantiomeric excess. The applicant also argued that the Brittain secondary reference in the 103 (a) rejection in the outstanding office action does not read on the claims because the referenced part of the article only refers to conglomerates, not to racemates generally. The examiner recommended to the Attorney, to put these arguments on record, so that the examiner and her SPE could consider them. The attorney also proposed to add some dependent claims which claim specific solvents disclosed in the specification which allegedly have yielded nonobvious unexpected results of increased purity. The applicant also proposed to claim the purity in the new claims.